## REMARKS/ARGUMENTS

These remarks are responsive to the Office Action of February 8, 2010. Reconsideration and allowance of the instant application are respectfully requested. Claims 16, 23, 24, 27, 29, 30, 36, 37, 44, 45, and 47 have been amended. Claim 42 has been canceled without prejudice or disclaimer. No new matter has been added. Claims 11-18, 20, 23-30, 33, 36-39, 41, and 43-48 remain pending in this application

***Claim Amendments***

Independent claims 16 and 45 have been amended to incorporate the features of dependent claim 42, which has know been canceled. Independent claims 23 and 36 have been amended to incorporate features of dependent claims 24 and 37, respectively. Claims 27, 29, 30, 44, and 47 have been amended to correct matters of formality or to improve clarity of the claims. Applicant respectfully submits that the amended claims are within the scope of claims already examined and would not require a further search for art.

***Rejection Under 35 U.S.C. § 103(a)***

Claims 11-14, 16-18, 23-26, 28, 36, 39, and 42-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez et al. (US 6,147,683, hereinafter "Martinez"), in view of Eisenberg (US 6,331,866, hereinafter "Eisenberg"). Claims 15, 20, 27, 29, 30, 33, 37, 38, and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez, in view of Eisenberg, and further in view of Ishikawa (US 5,506,951). Claim 41 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez, in view of Eisenberg, and further in view of Blumberg (US 6,799,303, hereinafter "Blumberg"). Applicant respectfully traverses these rejections.

***Independent claims 16 and 45***

Independent claims 16 and 45 have been amended to incorporate the (now canceled) claim 42 feature of "*changing the location of the item of interest based on an input from a second user of a plurality of users in a shared environment.*" For this feature, the Office Action cites Martinez for disclosing a multi-user computing system.

See Office Action, pages 7-8. Irrespective of whether Martinez discloses a multi-user computer system, the Office Action points to nothing in Martinez, and Applicant has found nothing in Martinez, that would teach or suggest the feature amended to claims 16 and 45. The Office Action appears to make the assumption that a multi-user computing system would necessarily include a "*shared environment*" which includes "*changing the location of the item of interest [identified by a user] based on an input from a second user*" as recited in claims 16 and 45. Such an assumption is unsupported, and indeed, contrary to the disclosure in Martinez, which refers only to a single user performing the selecting of the listed items illustrated in figs. 3-17. See e.g., Maritnez, figs. 3-17, col. 6 lines 54-59, col. 7 lines 1-12, 61-65. Eisenberg fails to make up for this shortcoming of Martinez. Accordingly, claims 16 and 45 are distinguishable over the combination of Martinez and Eisenberg.

Independent claims 16 and 45 further recite:

> *a graphical indictor ... displayed at a size relative to the scroll bar to indicate a size of the item of interest relative to a size of the set of information, the size of the graphical indicator configured to dynamically change in response to a change in the size of the set of information.*

The Office Action admits that Martinez fails to teach or suggest the above recited feature. See Office Action pages 3 and 8. Instead, the Office Action relies on Eisenberg to describe said feature, specifically referring to col. 3 lines 1-5 and col. 7 lines 45-51. However, Eisenberg merely states that, "*the selected content indicator can be sized to indicate the length of the selected portion of the note content relative to the overall content extent*". See Eisenberg, col. 3, lines 3-5. As noted in Applicant's previous response, such a description fails to teach or suggest that such an action may be performed "*dynamically*" and "*in response to a change in size*" in the set of information as recited in claims 16 and 45. That is, the cited portion of Eisenberg's disclosure is, without more, limited to sizing the selected content when the indicator is set. The rest of Eisenberg is similarly devoid of any discussion of dynamically changing the size of the content indicator. As such, claims 16 and 45 are distinguishable over the combination of Martinez and Eisenberg for this further reason.

Claims 11-15, 17-18, 20, 33, 41 and 46-48 depend from one of claims 16 and 45, and are rejected over the same combination of Martinez and Eisenberg, or rejected over

the combination of Martinez and Eisenberg in further view of Ishikawa or Blumberg. Ishikawa and Blumberg fail to overcome the deficiencies of Martinez and Eisenberg noted above. Accordingly, these dependent claims are allowable for at least the same reasons as their base claims, and in further view of their features recited therein.

For example, claim 41 recites the feature of a "*circular dial, wherein the slider rotates around the circular dial, and wherein a 360-degree rotation around the dial corresponds with traversing the set of information from one of: a beginning-to-end and a end-to-beginning.*" The Office Action concedes that the combination of Martinez and Eisenberg fails to disclose this feature, and instead relies on an octagon shaped display in Fig. 21 of Blumberg for the claimed "*circular dial.*" See Office Action, page 15. Blumberg merely discloses a keyboard interface in Fig. 21 in which a user selects keys on the perimeter of the octagon by moving a pointer radially from the center of the octagon to the perimeter in the direction of the desired key. See Blumberg, col. 16 lines 33-41. Blumberg does not display a "*circular dial, wherein the slider rotates*" (emphasis added) as recited in claim 41. Accordingly, claim 41 is distinguishable from the combination of Martinez, Eisenberg, and Blumberg for this further reason.

***Independent claims 23 and 36***

Independent claims 23 and 36 have been amended to incorporate the pre-amended claims 24 and 37 feature of "*a second graphical indicator displayed at a position relative to the scroll bar to indicate the location of a second user identified point of focus within the list.*" The Office Action points to Martinez for this feature, but as discussed above with respect to claims 16 and 45, Martinez, refers only to a single user performing the selecting of the listed items illustrated in figs. 3-17. The portion of Martinez cited by the Office Action is exemplary of this point. Martinez, col. 7 lines 56-65, states:

> *We now assume that the user ... selects list item 7, by clicking on item 7.... A graphical selection marker 129D is displayed on the scroll bar...item 11 may be selected in addition to item 7 by pressing "Ctrl" as item 11 is clicked. Now both items 7 and 11 are selected, and each have corresponding markers 129D and 129E, respectively, displayed on the scroll bar. Next the user....*

The Office Action appears to rely on Martinez showing two items being selected for the amended features of claims 23 and 36, but as is clear from the disclosure, a single user is

selecting both items by holding down the "Ctrl" key. Martinez fails to disclose a "*location of a second user identified point*" as recited in claims 23 and 36, and thus, the claims are distinguishable over the combination of Martinez and Eisenberg.

Independent claims 23 and 36 further recite:

> *a first graphical indictor ... displayed at a size relative to the scroll bar to indicate a size of the item of interest relative to a size of the list, the size of the graphical indicator configured to dynamically change in response to a change in the size of the list.*

As already discussed with respect to claims 16 and 45, the combination of Martinez and Eisenberg fails to teach or suggest a graphical indicator configured to dynamically change in response to a change in the size of a set of information. The combination likewise fails to disclose these similar features of claims 23 and 36. Accordingly, claims 23 and 36 are distinguishable over the combination of Martinez and Eisenberg for this further reason.

Claims 24-26, 37-39, 43 and 44 depend from one of claims 23 and 36, and are rejected over the same combination of Martinez and Eisenberg, or rejected over the combination of Martinez and Eisenberg in further view of Ishikawa. Ishikawa fails to overcome the deficiencies of Martinez and Eisenberg noted above. Accordingly, these dependent claims are allowable for at least the same reasons as their base claims, and in further view of their features recited therein.

***Independent claim 27***

The Office Action cites Martinez for the claim 27 feature of "*obtaining a location of the point of focus within data based on the position of the graphical indicator on the scroll bar*," and Ishikawa for the claim 27 feature of "*changing the location of the point of focus based on a user input from a first user moving the graphical indicator on the scroll bar*."

The Office Action apparently relies on a *Listed Item* within scrollable window, and a *marking* on a scroll bar, in Martinez for the claimed "*point of focus*" and "*graphical indicator*," respectively. See e.g., Martinez, Listed Item 7, 129A. The Office Action then applies the dragging of *jump tags* along a scroll bar in Ishikawa to modify Martinez

for teaching the claimed feature of "*moving the graphical indicator*." See e.g. Ishikawa, Fig. 3a, 305a.

Even assuming that the Office Action is correct in relating these features to those of claim 27, which Applicant does not concede, to disclose the features of claim 27, Martinez would have to disclose that the location of the *Listed Item* within the list was obtained based on the position of the marking on the scroll bar, i.e., *location of the point of focus ... based on ... the graphical indicator.* Martinez, however, discloses the opposite, placing the mark on the scroll based on a user selecting the Listed Item. See e.g., Fig. 2 steps 220-230; Fig. 4, List Item 7, 129A.

Ishikawa fails to overcome this shortcoming of Martinez. Ishikawa, discloses jump tags which identify positions on a scroll bar where the thumb (i.e. slider) can be jumped to by selecting the tag. See Ishikawa, col. 6 lines 2-11. These tags are similar in position on a scroll bar to the markings in Martinez. However, the jump tags have no relation to the data in the window as would be required to disclose the claimed "*graphical indicator*." The jump tags in Ishikawa merely relate to the scroll bar itself. See Ishikawa; col. 6 lines 23-24, 42-47, 49-51, 56-61; col. 7 lines 32-35.

The "*graphical indicator*" in claim 27 has a clear relationship to the "*point of focus within data*," that is not just a relationship to the "scroll bar" as in Ishikawa. The relationship is made clear by the claim 27 feature of the "size of the graphical indicator [being] configured to dynamically change in response to a change in the size of the data. Nothing in Ishikawa discloses a relationship from the jump tag to anything more the scroll bar itself. Thus, Ishikawa would not disclose the claim 27 features of "*obtaining a location of the point of focus within data based on the position of the graphical indicator on the scroll bar*" for which Martinez was cited, but was shown lacking. For the same reason, Ishikawa also does not disclose the claim 27 feature of "*changing the location of the point of focus based on a user input from a first user moving the graphical indicator on the scroll bar.*"

Eisenberg fails to make up for the deficiencies of both Martinez and Ishikawa noted above. Thus claim 27 is distinguishable over the combination of Martinez, Eisenberg, and Ishikawa.

Claim 27 also recites the feature of "*changing the location of the point of focus based on a user input from a second user moving the graphical indicator on the scroll bar.*" The Office Action cites Martinez for the features relating to "a second user," but as discussed above with respect to claims 16 and 45, Martinez refers only to a single user performing the selecting of the listed items illustrated in figs. 3-17. See e.g., Maritnez, figs. 3-17, col. 6 lines 54-59, col. 7 lines 1-12, 61-65. Eisenberg and Ishikawa fail to make up for this shortcoming of Martinez. Thus, claim 27 is distinguishable for this further reason.

Claims 29-30 depend from claim 27, and are allowable for at least the same reason as claim 27, and in further view of their features recited therein.

Claim 28 has further been rejected over Martinez and Eisenberg, while its base claim 27 has been rejected over Martinez, Eisenberg, and Ishikawa. The rejection to claim 28 does not fully incorporated the rejection of its base claim 27, and is thus improper. Applicant submits that the rejection to claim 28 should be withdrawn for this further reason.

## CONCLUSION

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. If the examiner has any questions or needs any additional information, the examiner is invited to contact applicant's undersigned representative at (202) 824-3077.

Respectfully submitted,

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